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September 20, 2023

Via ECF

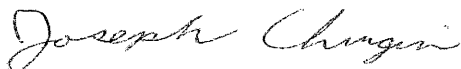
The Honorable Magistrate Judge Judith C. McCarthy
US District Court for the Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *Congregation Rabbinical College of Tartikov, Inc., et al. v. Village of Pomona, et al.*,
7:20-cv-06158-KMK

Your Honor:

The parties have conferred with respect to your Order dated September 18, 2023 (*copy annexed*) and agree that we do not need a conference on October 2, 2023.

Respectfully submitted,



JOSEPH A. CHURGIN
JC/mc
enc
cc: All Counsel via ECF

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September 14, 2023

Via ECF

The Honorable Magistrate Judge Judith C. McCarthy
US District Court for the Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *Congregation Rabbinical College of Tartikov, Inc., et al. v. Village of Pomona, et al.*,
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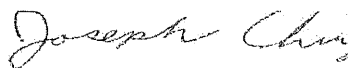
Your Honor:

We are counsel for Plaintiffs in this matter and we submit this joint letter along with counsel for Defendants.

We write in response to your Order of September 12, 2023 in preparation for a settlement conference.

The parties have been seriously discussing the possibility of a global settlement in order to avoid additional and future lengthy litigation. However, one fundamental question has arisen: If the parties were to agree on terms resolving the dispute (including allowing the use of the subject property as a Rabbinical Institute), would the Court have jurisdiction to issue a consent order regarding the same? This would extend to the underlying legal dispute between the parties, and not only those issues raised in the pending attorneys' fees motion. If the Court lacks such jurisdiction, then such efforts would be futile at this point.


Respectfully submitted,



JOSEPH A. CHURGIN
JC/mc
cc: All Counsel via ECF

SO ORDERED:

The Court cannot provide an advisory opinion on whether it has jurisdiction to sign a consent order resolving all underlying claims in this case. However, if the parties wish to obtain a ruling on whether the Court has jurisdiction to sign such an order, they may submit briefing on the issue to Judge Karas in accordance with his Individual Rules of Practice. The parties shall promptly notify the Court whether they wish to proceed with the October 2, 2023 settlement conference in light of this development.


JUDITH C. MCCARTHY
United States Magistrate Judge